UNITED
NATIONS

A

General Assembly

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GENERAL

A/RES/51/32
10 January 1997

Fifty-first session
Agenda item 44

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[without reference to a Main Committee (A/51/L.31 and Add.1)]

51/32. Mid-term review of the implementation of the United Nations New Agenda for the Development of Africa in the 1990s

The General Assembly,

Reaffirming its resolution 46/151 of 18 December 1991, the annex to which contains the United Nations New Agenda for the Development of Africa in the 1990s,

Recalling its resolutions 48/214 of 23 December 1993 and 49/142 of 23 December 1994 on the New Agenda,

Recalling also its resolutions 50/160 A and B of 22 December 1995 and 16 July 1996 establishing the Ad Hoc Committee of the Whole of the General Assembly for the Mid-term Review of the Implementation of the United Nations New Agenda for the Development of Africa in the 1990s,

Noting that the mid-term review of the implementation of the New Agenda[1] has been an occasion for an in-depth assessment of the actions taken in the implementation of the New Agenda and the measures needed to accelerate its implementation during the remaining period of the decade and beyond,

Recognizing that while there was an overall improvement in economic performance in some African countries, in the continent as a whole many of the critical social conditions and economic problems which led to the adoption of

[1] See Official Records of the General Assembly, Fifty-first Session, Supplement No. 48 (A/51/48).

the United Nations Programme of Action for African Economic Recovery and Development 1986-1990,[2] and the New Agenda in 1986 and 1991, respectively, still exist and have worsened in some countries;

Recognizing also, as noted in the mid-term review,[3] that poverty and unemployment are expected to increase substantially in Africa, leading to the need for African countries and the international community to take urgent measures to attain the objectives of the New Agenda,

Taking note of the reports of the Secretary-General concerning the mid-term review of the implementation of the New Agenda,[4]

Taking note also of the document of the Organization of African Unity concerning the mid-term review of the implementation of the New Agenda, the outcome of the High-level Seminar on African Development, held at Tokyo on 27 and 28 August 1996, and the submission by the non-governmental organizations,

Noting the contribution made by individual Governments and intergovernmental and non-governmental organizations to the work of the Ad Hoc Committee,

1. Adopts the conclusions of the mid-term review of the implementation of the United Nations New Agenda for the Development of Africa in the 1990s, consisting of an assessment of the responses and measures to accelerate the implementation of the New Agenda, as set forth in the report of the Ad Hoc Committee of the Whole of the General Assembly for the Mid-term Review of the Implementation of the United Nations New Agenda for the Development of Africa in the 1990s,[1] highlighting key areas for priority attention, inter alia: (a) economic reforms, including the effective mobilization and efficient utilization of domestic resources; (b) the promotion of private sector and foreign direct investment; (c) the intensification of the democratic process and the strengthening of civil society; (d) environment and development; (e) resource flows; (f) solution of Africa's debt problem; (g) trade facilitation and market access; (h) the diversification of African economies; (i) the improvement of physical and institutional infrastructure and social and human resource development; and (j) women in development;

2. Requests the Secretary-General to give the outcome of the mid-term review the widest publicity to all Member States and in particular to sensitize the heads of the agencies and institutions of the United Nations system, including the Bretton Woods institutions, and the donor community to the measures and recommendations contained therein;

3. Requests all States, international and multilateral organizations, financial institutions and development funds, the organs and programmes of the United Nations system and intergovernmental and non-governmental organizations

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[2] Resolution S-13/2, annex.

[3] Official Records of the General Assembly, Fifty-first Session, Supplement No. 48 (A/51/48), para. 44, annex.

[4] A/51/228 and Add.1 and A/AC.251/5.

to take, as a matter of urgency, concrete and effective measures in order to implement fully the recommendations contained in the report of the Ad Hoc Committee and to do so in a coordinated manner;

4. Reaffirms the importance of effective follow-up, monitoring and evaluation arrangements for the implementation of the New Agenda at the national, regional and global levels, and in this regard requests the Secretary-General to strengthen and improve follow-up, monitoring and evaluation of the implementation of the New Agenda;

5. Recognizes the complementary role of the United Nations System-wide Special Initiative on Africa in the implementation of the New Agenda, including the mobilization of adequate resources, while avoiding unnecessary duplication of activities;

6. Requests the Secretary-General, pending the final review and appraisal of the New Agenda in the year 2002, to submit to the General Assembly at its fifty-third and fifty-fifth sessions a progress report on the implementation of the present resolution under an item entitled "Implementation of the United Nations New Agenda for the Development of Africa in the 1990s, including measures and recommendations agreed upon at its mid-term review".

75th plenary meeting
6 December 1996

UNITED NATIONS

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General Assembly

Distr.
GENERAL

A/RES/51/33
17 January 1997

Fifty-first session
Agenda item 162

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[without reference to a Main Committee (A/51/L.42 and Add.1)]

51/33. Proclamation of 7 December as International Civil Aviation Day

The General Assembly,

Noting that 7 December marks the anniversary of the signing of the Convention on International Civil Aviation,[1] done at Chicago on that date in 1944,

Recalling that the preamble to the Convention states that the future development of international civil aviation can greatly help to create and preserve friendship and understanding among the nations and peoples of the world,

Welcoming resolution A29-1 adopted in 1992 by the Assembly of the International Civil Aviation Organization declaring 7 December as International Civil Aviation Day each year starting in 1994, and instructing the Secretary-General of the organization to inform the Secretary-General of the United Nations accordingly,

Noting that, at its meeting of 27 May 1996, the Council of the International Civil Aviation Organization requested the Secretary-General of the organization to take steps to urge the General Assembly of the United Nations to recognize officially 7 December each year as International Civil Aviation Day,

[1] United Nations, Treaty Series, vol. 15, No. 102, p. 295.

1. Proclaims 7 December as International Civil Aviation Day;

2. Urges Governments as well as relevant national, regional, international and intergovernmental organizations to take appropriate steps to observe International Civil Aviation Day.

75th plenary meeting
6 December 1996

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/51/34
17 January 1997

Fifty-first session
Agenda item 24 (a)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[without reference to a Main Committee (A/51/L.21 and Add.1)]

51/34. Law of the sea

The General Assembly,

Emphasizing the universal character of the United Nations Convention on the Law of the Sea[1] and its fundamental importance for the maintenance and strengthening of international peace and security, as well as for the sustainable use and development of the seas and oceans and their resources,

Considering that, in its resolution 2749 (XXV) of 17 December 1970, it proclaimed that the seabed and ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction ("the Area"), as well as the resources of the Area, are the common heritage of mankind, and considering also that the Convention, together with the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982[2] ("the Agreement"), provides the regime to be applied to the Area and its resources,

Noting the entry into force of the Agreement on 28 July 1996,

Noting with satisfaction the increase in the number of States parties to the Convention,

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[1] Official Records of the Third United Nations Conference on the Law of the Sea, vol. XVII (United Nations publication, Sales No. E.84.V.3), A/CONF.62/122.

[2] Resolution 48/263, annex.

Recalling its resolution 49/28 of 6 December 1994 on the law of the sea, adopted consequent to the entry into force of the Convention on 16 November 1994,

Aware of the importance of the effective implementation of the Convention and its uniform and consistent application, as well as of the growing need to promote and facilitate international cooperation on the law of the sea and ocean affairs at the global, regional and subregional levels,

Recognizing the impact on States of the entry into force of the Convention and the increasing need, particularly of developing States, for advice and assistance in its implementation in order to benefit thereunder,

Welcoming the establishment of the International Tribunal for the Law of the Sea[3] ("the Tribunal"), the Council of the International Seabed Authority, its Legal and Technical Commission and Finance Committee, and the election of their respective members as well as the election of the Secretary-General of the International Seabed Authority[4] ("the Authority"),

Noting the decisions taken by States parties to the Convention facilitating the organization of the Tribunal[5] and those by the Assembly[6] and the Council[7] of the Authority facilitating the organization of the Authority,

Noting also the decisions taken by States parties to the Convention to elect the members of the Commission on the Limits of the Continental Shelf in March 1997,[8]

Recalling article 287 of the Convention regarding the choice of means for the settlement of disputes concerning the interpretation or application of the Convention,

Recalling also that the Agreement provides that the institutions established by the Convention shall be cost-effective,[9] and recalling further that the Meeting of States Parties to the Convention decided that this principle would apply to all aspects of the work of the Tribunal,[10]

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[3] See SPLOS/14, paras. 13-31.

[4] See ISBA/A/L.9, paras. 4-11 and 12-17; ISBA/A/L.13, para. 12; and ISBA/C/L.3, para. 7.

[5] SPLOS/14, paras. 32-36.

[6] ISBA/A/14.

[7] ISBA/C/10 and 11.

[8] SPLOS/14, para. 41.

[9] See resolution 48/263, annex: Annex to the Agreement, sect. 1, para. 2.

[10] SPLOS/4, para. 25 (e).

Emphasizing the importance of making adequate provisions for the efficient functioning of the institutions established by the Convention,

Reiterating its appreciation to the Secretary-General for his efforts in support of the Convention and in the effective implementation of the Convention, including providing assistance in the establishment of the institutions created by the Convention,

Noting the responsibilities of the Secretary-General and competent international organizations under the Convention, in particular pursuant to its entry into force and as required by resolution 49/28,

Noting with appreciation the development, as part of the Organization's home page on the Internet, of the Web sites of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat (Gopher/World Wide Web), which provide users with convenient means for obtaining timely, well-organized and cross-referenced materials and information dealing with various aspects of the oceans, marine affairs and the law of the sea,

Conscious that the problems of ocean space are closely interrelated and need to be considered as a whole,

Conscious also of the strategic importance of the Convention as a framework for national, regional and global action in the marine sector, as recognized also by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21,[11]

Noting the recommendation of the Commission on Sustainable Development,[12] endorsed by the Economic and Social Council,[13] concerning international cooperation and coordination in the implementation of chapter 17 of Agenda 21,

Noting also the Washington Declaration and the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities,[14]

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[11] Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (A/CONF.151/26/Rev.1 (Vol. I and Vol. I/Corr.1, Vol. II, Vol. III and Vol. III/Corr.1)) (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: Resolutions Adopted by the Conference, resolution 1, annex II.

[12] See Official Records of the Economic and Social Council, 1996, Supplement No. 8 (E/1996/28), chap. I, sect. A, para. 1.

[13] See A/51/3 (Part II), chap. V, sect. B.1, para. 119, resolution 1996/1; see Official Records of the General Assembly, Fifty-first Session, Supplement No. 3 .

[14] A/51/116, annex I, appendix II, and annex II.

Conscious of the need to promote and facilitate international cooperation, especially at the subregional and regional levels, in order to ensure the orderly and sustainable development of the uses and resources of the seas and oceans,

Reaffirming the importance of the annual consideration and review by the General Assembly of the overall developments pertaining to the implementation of the Convention, as well as of other developments relating to the law of the sea and ocean affairs,

1. Calls upon all States that have not done so to become parties to the United Nations Convention on the Law of the Sea[1] and to ratify, confirm formally or accede to the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982[2] in order to achieve the goal of universal participation;

2. Calls upon States to harmonize their national legislation with the provisions of the Convention, to ensure the consistent application of those provisions and to ensure also that any declarations or statements that they have made or make when signing, ratifying or acceding are in conformity with the Convention;

3. Reaffirms the unified character of the Convention;

4. Recalls its decision to fund the budget for the administrative expenses of the International Seabed Authority initially from the regular budget of the United Nations, in accordance with the provisions of the Agreement;[15]

5. Approves the provision by the Secretary-General of such services as may be required for the two meetings of the Authority to be held in 1997, from 17 to 28 March and from 18 to 29 August;

6. Requests the Secretary-General to convene the Meetings of States Parties to the Convention from 10 to 14 March and from 19 to 23 May 1997;

7. Notes with appreciation the progress made in the establishment of the institutions created by the Convention, requests the Secretary-General to continue to provide assistance to those institutions, and invites the Secretary-General to take steps to conclude relationship agreements between the United Nations and the Authority, and between the United Nations and the Tribunal, to be applied provisionally pending the approval of the General Assembly and as appropriate by the Assembly of the Authority or the States parties to the Convention;

8. Encourages States parties to the Convention to consider making a written declaration choosing from the means set out in article 287 of the Convention for the settlement of disputes concerning the interpretation or application of the Convention;

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[15] See resolution 48/263, para. 8; and ibid., annex: Annex to the Agreement, sect. 1, para. 14.

9. Expresses its appreciation to the Secretary-General for the annual comprehensive report on the law of the sea[16] and the activities of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat, in accordance with the provisions of the Convention and the mandate set forth in resolution 49/28;

10. Reaffirms the importance of ensuring the uniform and consistent application of the Convention and a coordinated approach to its overall implementation, and of strengthening technical cooperation and financial assistance for this purpose, stresses once again the continuing importance of the efforts of the Secretary-General to these ends, and reiterates its invitation to the competent international organizations and other international bodies to support these objectives;

11. Requests the Secretary-General to ensure that the institutional capacity of the Organization adequately responds to the needs of States, the newly established institutions and other competent international organizations by providing advice and assistance, taking into account the special needs of developing countries;

12. Invites Member States and others in a position to do so to contribute to the further development of the fellowship programme on the law of the sea and training and educational activities on the law of the sea and ocean affairs established by the General Assembly in its resolution 35/116 of 10 December 1980, as well as advisory services and assistance in support of effective implementation of the Convention;

13. Requests the Secretary-General to continue his efforts to further strengthen the existing system for the collection, compilation and dissemination of information on the law of the sea and related matters and to further develop, in cooperation with relevant international organizations, a centralized system for providing coordinated information and advice;

14. Reaffirms its decision to undertake an annual review and evaluation of the implementation of the Convention and other developments relating to ocean affairs and the law of the sea;

15. Reiterates its request to the Secretary-General to prepare a comprehensive report on the impact of the entry into force of the Convention on related existing and proposed instruments and programmes throughout the United Nations system, for submission to the Assembly at its fifty-second session, and calls upon competent international organizations and other international bodies to cooperate in the preparation of the report;

16. Requests the Secretary-General to report to the Assembly at its fifty-second session on the implementation of the present resolution, including other developments and issues relating to ocean affairs and the law of the sea, in connection with his annual comprehensive report on oceans and the law of the sea;

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[16] A/51/645.

17. Decides to include in the provisional agenda of its fifty-second session an item entitled "Oceans and the law of the sea".

77th plenary meeting
9 December 1996

UNITED NATIONS **A**

General Assembly

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GENERAL

A/RES/51/35
17 January 1997

Fifty-first session
Agenda item 24 (b)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[without reference to a Main Committee (A/51/L.28 and Add.1)]

51/35. Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

The General Assembly,

Recalling its resolutions 47/192 of 22 December 1992, concerning the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks, and 50/24 of 5 December 1995, concerning the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks,[1]

Recalling also resolutions I and II adopted by the Conference,[2]

Noting the opening for signature of the Agreement on 4 December 1995,

Recognizing the importance of the Agreement for the conservation and management of straddling fish stocks and highly migratory fish stocks and the need for the regular consideration and review of developments relating thereto,

Recognizing also the importance of artisanal and subsistence fishers,

[1] A/CONF.164/37; see also A/50/550, annex I.

[2] A/CONF.164/38, annex; see also A/50/550, annex II.

Noting with appreciation the information provided by States, relevant specialized agencies, international organizations, intergovernmental bodies and non-governmental organizations in accordance with resolution 50/24,

Taking note of the report of the Secretary-General,[3]

1. Recognizes the significance of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks[1] as an important contribution to ensuring the conservation and management of straddling fish stocks and highly migratory fish stocks;

2. Emphasizes the importance of the early entry into force and effective implementation of the Agreement;

3. Calls upon all States and other entities referred to in article 1, paragraph 2 (b), of the Agreement that have not done so to ratify or accede to it and to consider applying it provisionally;

4. Takes note with concern that many commercially important straddling fish stocks and highly migratory fish stocks have been subject to heavy and little-regulated fishing efforts and that some stocks continue to be overfished;

5. Welcomes the fact that a growing number of States and other entities, as well as regional and subregional fishery management organizations and arrangements, have adopted legislation, established regulations or taken other measures to implement the provisions in the Agreement, and urges them to enforce those measures fully;

6. Calls upon States and other entities and regional and subregional fishery management organizations and arrangements that have not done so to consider taking measures to implement the provisions of the Agreement;

7. Urges States, relevant specialized agencies, international organizations, intergovernmental bodies and non-governmental organizations that have not yet done so to provide information to the Secretary-General to ensure as comprehensive a report as possible;

8. Requests the Secretary-General to report to the General Assembly at its fifty-second session and biennially thereafter on further developments relating to the conservation and management of straddling fish stocks and highly migratory fish stocks, including the status and implementation of the Agreement, taking into account information provided by States, relevant specialized agencies, in particular the Food and Agriculture Organization of the United Nations, and other appropriate organs, organizations and programmes of the United Nations system, regional and subregional organizations and arrangements for the conservation and management of straddling fish stocks and highly migratory fish stocks, as well as other relevant intergovernmental bodies and non-governmental organizations;

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[3] A/51/383.

9. Also requests the Secretary-General to ensure that reporting on all major fishery-related activities and instruments is effectively coordinated and duplication of activities and reporting minimized, and that relevant scientific and technical studies are disseminated to the international community, and invites the relevant specialized agencies, including the Food and Agriculture Organization of the United Nations, as well as regional and subregional fishery organizations and arrangements, to cooperate with the Secretary-General to that end;

10. Decides to include in the provisional agenda of its fifty-second session, under an item entitled "Oceans and law of the sea", the sub-item entitled "Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks".

77th plenary meeting
9 December 1996

UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/51/36
21 January 1997

Fifty-first session
Agenda item 24 (c)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[without reference to a Main Committee (A/51/L.29 and Add.1)]

51/36. Large-scale pelagic drift-net fishing; unauthorized fishing in zones of national jurisdiction; and fisheries by-catch and discards

The General Assembly,

Reaffirming its resolutions 46/215 of 20 December 1991, 49/116 and 49/118 of 19 December 1994 as well as other relevant resolutions,

Reaffirming also its resolution 50/25 of 5 December 1995 on large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas, unauthorized fishing in zones of national jurisdiction and its impact on the living marine resources of the world's oceans and seas, and fisheries by-catch and discards and their impact on the sustainable use of the world's living marine resources,

Conscious of the need to promote and facilitate international cooperation, especially at the regional and subregional levels, in order to ensure the sustainable development and use of the living marine resources of the world's oceans and seas, consistent with the present resolution,

Mindful that the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks[1] provides in its general principles that States shall minimize pollution, waste, discards, catch by lost or abandoned gear, catch of non-target species, both fish and non-fish species, and impacts on

[1] A/CONF.164/37; see also A/50/550, annex I.

associated or dependent species, in particular endangered species, through measures including, to the extent practicable, the development and use of selective, environmentally safe and cost-effective fishing gear and techniques, and further provides that States shall take measures, including the establishment of regulations, to ensure that vessels flying their flags do not conduct unauthorized fishing within areas under the national jurisdiction of other States,

Noting that the Code of Conduct for Responsible Fisheries sets out principles and global standards of behaviour for responsible practices to conserve, manage and develop fisheries, including guidelines for fishing on the high seas and in areas under the national jurisdiction of other States, and on fishing gear selectivity and practices, with the aim of reducing by-catch and discards,

Expressing deep concern at the detrimental impact of unauthorized fishing in areas under national jurisdiction, where the overwhelming proportion of the global fish catch is harvested, on the sustainable development of the world's fishery resources and on the food security and economies of many States, particularly developing States,

Reaffirming once again the rights and duties of coastal States to ensure proper conservation and management measures with respect to the living resources in areas under their national jurisdiction, in accordance with international law as reflected in the United Nations Convention on the Law of the Sea,[2]

Taking note of the report of the Secretary-General[3] on large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas, unauthorized fishing in zones of national jurisdiction and its impact on the living marine resources of the world's oceans and seas, and fisheries by-catch and discards and their impact on the sustainable use of the world's living marine resources,

Acknowledging with appreciation the measures taken and the progress made by members of the international community, international organizations and regional economic integration organizations to implement and support the objectives of resolution 46/215,

Recognizing the efforts that international organizations and members of the international community have made to reduce by-catch and discards in fishing operations,

Once again expressing deep concern that there are continuing reports of activities inconsistent with the terms of resolution 46/215 and unauthorized fishing inconsistent with the terms of resolution 49/116,

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[2] Official Records of the Third United Nations Conference on the Law of the Sea, vol. XVII (United Nations publication, Sales No. E.84.V.3), A/CONF.62/122.

[3] A/51/404.

1. Reaffirms the importance it attaches to compliance with its resolution 46/215, in particular to those provisions of the resolution calling for full implementation of a global moratorium on all large-scale pelagic drift-net fishing on the high seas of the world's oceans and seas, including enclosed seas and semi-enclosed seas;

2. Notes that a growing number of States and other entities as well as relevant regional and subregional fisheries management organizations and arrangements have adopted legislation, established regulations or applied other measures to ensure compliance with resolutions 46/215 and 49/116, and urges them to enforce fully such measures;

3. Urges all authorities of members of the international community that have not done so to take greater enforcement responsibility to ensure full compliance with resolution 46/215 and to impose appropriate sanctions, consistent with their obligations under international law, against acts contrary to the terms of that resolution;

4. Calls upon States to take the responsibility, consistent with their obligations under international law as reflected in the United Nations Convention on the Law of the Sea[2] and resolution 49/116, to take measures to ensure that no fishing vessels entitled to fly their national flags fish in areas under the national jurisdiction of other States unless duly authorized by the competent authorities of the coastal State or States concerned; such authorized fishing operations should be carried out in accordance with the conditions set out in the authorization;

5. Urges States, relevant international organizations and regional and subregional fisheries management organizations and arrangements to take action to adopt policies, apply measures, including through assistance to developing countries, collect and exchange data and develop techniques to reduce by-catches, fish discards and post-harvest losses consistent with international law and relevant international instruments, including the Code of Conduct for Responsible Fisheries;

6. Reiterates its call on development assistance organizations to make it a high priority to support, including through financial and/or technical assistance, efforts of developing coastal States, in particular the least developed countries and the small island developing States, to improve the monitoring and control of fishing activities and the enforcement of fishing regulations, including through financial and technical support for regional and subregional meetings for this purpose;

7. Requests the Secretary-General to bring the present resolution to the attention of all members of the international community, relevant intergovernmental organizations, the organizations and bodies of the United Nations system, regional and subregional fisheries management organizations, and relevant non-governmental organizations, and invites them to provide the Secretary-General with information relevant to the implementation of the present resolution;

8. Also requests the Secretary-General to ensure that reporting on all major fisheries-related activities and instruments is effectively coordinated and duplication of activities and reporting minimized and that relevant scientific and technical studies are disseminated to the international community, and invites the relevant specialized agencies,

including the Food and Agriculture Organization of the United Nations, as well as regional and subregional fisheries organizations and arrangements, to cooperate with the Secretary-General to that end;

9. Further requests the Secretary-General to submit to the General Assembly at its fifty-second session and biennially thereafter a report on further developments relating to the implementation of resolutions 46/215, 49/116 and 49/118, taking into account the information provided by States, relevant specialized agencies, in particular the Food and Agriculture Organization of the United Nations, and other appropriate organs, organizations and programmes of the United Nations system, regional and subregional organizations and arrangements and other relevant intergovernmental and non-governmental organizations;

10. Decides to include in the provisional agenda of its fifty-second session, under an item entitled "Oceans and law of the sea", a sub-item entitled "Large-scale pelagic drift-net fishing; unauthorized fishing in zones of national jurisdiction; and fisheries by-catch and discards".

77th plenary meeting
9 December 1996

UNITED NATIONS **A**

General Assembly

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GENERAL

A/RES/51/37
7 January 1997

Fifty-first session
Agenda item 60

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/51/566/Add.1)]

51/37. Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference on Disarmament

The General Assembly,

Recalling its previous resolutions on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons,

Taking note of paragraph 77 of the Final Document of the Tenth Special Session of the General Assembly,[1]

Determined to prevent the emergence of new types of weapons of mass destruction that have characteristics comparable in destructive effect to those of weapons of mass destruction identified in the definition of weapons of mass destruction adopted by the United Nations in 1948,[2]

Noting that the item entitled "New types of weapons of mass destruction and new systems of such weapons: radiological weapons" was considered in the Conference on Disarmament during its 1994, 1995 and 1996 sessions,

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[1] Resolution S-10/2.

[2] The definition was adopted by the Commission for Conventional Armaments (see S/C.3/32/Rev.1).

Also noting the desirability of keeping the matter under review, as appropriate,

1. Reaffirms that effective measures should be taken to prevent the emergence of new types of weapons of mass destruction;

2. Requests the Conference on Disarmament, without prejudice to further overview of its agenda, to keep the matter under review, as appropriate, with a view to making, when necessary, recommendations on undertaking specific negotiations on identified types of such weapons;

3. Calls upon all States, immediately following any recommendations of the Conference on Disarmament, to give favourable consideration to those recommendations;

4. Requests the Secretary-General to transmit to the Conference on Disarmament all documents relating to the consideration of this item by the General Assembly at its fifty-first session;

5. Requests the Conference on Disarmament to report the results of any consideration of the matter in its annual reports to the General Assembly;

6. Decides to include in the provisional agenda of its fifty-fourth session the item entitled "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference on Disarmament".

79th plenary meeting
10 December 1996

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/51/38
7 January 1997

Fifty-first session
Agenda item 61

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/51/566/Add.2)]

51/38. Objective information on military matters, including transparency of military expenditures

The General Assembly,

Recalling its resolution 49/66 of 15 December 1994 on objective information on military matters, including transparency of military expenditures,

Also recalling its resolution 35/142 B of 12 December 1980, which introduced the United Nations system for the standardized reporting of military expenditures, and its resolution 48/62 of 16 December 1993, calling upon all Member States to participate in it, and its resolution 47/54 B of 9 December 1992, endorsing the guidelines and recommendations for objective information on military matters and inviting Member States to provide relevant information to the Secretary-General regarding their implementation,

Noting that since then national reports on military expenditures and on the guidelines and recommendations for objective information on military matters have been submitted by a number of Member States belonging to different geographic regions,

Welcoming the report of the Secretary-General [1] on ways and means to implement the guidelines and recommendations for objective information on military matters, including, in particular, how to strengthen and broaden participation in the United Nations system for the standardized reporting of military expenditures,

[1] A/51/179.

Expressing its appreciation to the Secretary-General for providing Member States with the reports on military expenditures in standardized form reported by States and on guidelines and recommendations for objective information on military matters,

Welcoming the decision of many Member States to exchange and to publish information annually on their military budgets and to implement the guidelines and recommendations for objective information on military matters, as appropriate,

Reaffirming its firm conviction that a better flow of objective information on military matters can help to relieve international tension and contribute to the building of confidence among States and to the conclusion of concrete disarmament agreements,

Convinced that the improvement of international relations forms a sound basis for promoting further openness and transparency in all military matters,

Recalling that the guidelines and recommendations for objective information on military matters recommended certain areas for further consideration, such as the improvement of the United Nations system for the standardized reporting of military expenditures,

1. Recommends the guidelines and recommendations for objective information on military matters to all Member States for implementation, fully taking into account specific political, military and other conditions prevailing in a region, on the basis of initiatives and with the agreement of the States of the region concerned;

2. Calls upon all Member States to report annually, by 30 April, to the Secretary-General their military expenditures for the latest fiscal year for which data are available, using, for the time being, the reporting instrument as recommended in its resolution 35/142 B;

3. Requests the Secretary-General to circulate annually the reports on military expenditures as received from Member States;

4. Also requests the Secretary-General to seek the views of Member States and make recommendations on necessary changes to the content and structure of the United Nations system for the standardized reporting of military expenditures in order to strengthen and broaden participation, and to submit a report within existing resources on the subject to the General Assembly at its fifty-second session;

5. Calls upon all Member States, in time for the deliberation by the General Assembly at its fifty-second session, to provide the Secretary-General with their views on ways and means to strengthen and broaden participation in the United Nations system for the standardized reporting of military expenditures, including necessary changes to its content and structure;

6. Decides to include in the provisional agenda of its fifty-second session the item entitled "Objective information on military matters, including transparency of military expenditures".

79th plenary meeting
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UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/51/39
7 January 1997

Fifty-first session
Agenda item 63

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/51/566/Add.3)]

51/39. The role of science and technology in the context of international security and disarmament

The General Assembly,

Recognizing that scientific and technological developments can have both civilian and military applications and that progress in science and technology for civilian applications needs to be maintained and encouraged,

Concerned that military applications of scientific and technological developments can contribute significantly to the improvement and upgrading of weapons of mass destruction,

Aware of the need to follow closely the scientific and technological developments that may have a negative impact on international security and disarmament, and to channel scientific and technological developments for beneficial purposes,

Cognizant that the international transfers of dual-use as well as high-technology products, services and know-how for peaceful purposes are important for the economic and social development of States,

Expressing concern over the growing proliferation of ad hoc and exclusive export control regimes and arrangements for dual-use goods and technologies,

Recalling that the Final Document of the Eleventh Conference of Heads of State or Government of Non-Aligned Countries, held at Cartagena de Indias,

Colombia, from 18 to 20 October 1995,[1] noted that restrictions being placed on access to technology through the imposition of non-transparent ad hoc export control regimes with exclusive membership tended to impede the economic and social development of developing countries,

Emphasizing that internationally negotiated guidelines for the transfer of high technology with military applications should take into account the legitimate defence requirements of all States and requirements for the maintenance of international peace and security, while ensuring that access to high-technology products and services and know-how for peaceful purposes is not denied,

1. Affirms that scientific and technological progress should be used for the benefit of all mankind to promote the sustainable economic and social development of all States and to safeguard international security, and that international cooperation in the use of science and technology through the transfer and exchange of technological know-how for peaceful purposes should be promoted;

2. Invites Member States to undertake additional efforts to apply science and technology for disarmament-related purposes and to make disarmament-related technologies available to interested States;

3. Urges Member States to undertake multilateral negotiations with the participation of all interested States in order to establish universally acceptable, non-discriminatory guidelines for international transfers of dual-use goods and technologies and high technology with military applications;

4. Recalls the report of the Secretary-General entitled "Scientific and technological developments and their impact on international security",[2] and requests the Secretary-General to update and further develop that report in order to evaluate the impact of recent scientific and technological developments, especially those which have potential military applications, and to submit a report to the General Assembly no later than at its fifty-third session;

5. Encourages United Nations bodies to contribute, within existing mandates, to promoting the application of science and technology for peaceful purposes;

6. Decides to include in the provisional agenda of its fifty-second session the item entitled "The role of science and technology in the context of international security and disarmament".

79th plenary meeting
10 December 1996

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[1] A/50/752-S/1995/1035, annex III; see Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995, document S/1995/1035.

[2] A/45/568.

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/51/40
7 January 1997

Fifty-first session
Agenda item 64

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/51/566/Add.4)]

51/40. The role of science and technology in the context of international security, disarmament and other related fields

The General Assembly,

Recalling its previous resolutions on the subject of the role of science and technology in the context of international security, disarmament and other related fields, in which, inter alia, it recognized that scientific and technological developments could have both civilian and military applications and that progress in science and technology for civilian applications needed to be maintained and encouraged,

1. Invites Member States to enhance bilateral and multilateral dialogue on the role of science and technology in the context of international security, disarmament and other related fields, with a view to:

(a) Ensuring implementation of relevant commitments already undertaken under international legal instruments;

(b) Exploring ways and means of further developing international legal rules on transfers of high technology with military applications;

2. Decides to include in the provisional agenda of its fifty-third session the item entitled "The role of science and technology in the context of international security, disarmament and other related fields".

79th plenary meeting
10 December 1996

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/51/41
7 January 1997

Fifty-first session
Agenda item 67

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/51/566/Add.7)]

51/41. Establishment of a nuclear-weapon-free zone in the region of the Middle East

The General Assembly,

Recalling its resolutions 3263 (XXIX) of 9 December 1974, 3474 (XXX) of 11 December 1975, 31/71 of 10 December 1976, 32/82 of 12 December 1977, 33/64 of 14 December 1978, 34/77 of 11 December 1979, 35/147 of 12 December 1980, 36/87 A and B of 9 December 1981, 37/75 of 9 December 1982, 38/64 of 15 December 1983, 39/54 of 12 December 1984, 40/82 of 12 December 1985, 41/48 of 3 December 1986, 42/28 of 30 November 1987, 43/65 of 7 December 1988, 44/108 of 15 December 1989, 45/52 of 4 December 1990, 46/30 of 6 December 1991, 47/48 of 9 December 1992, 48/71 of 16 December 1993, 49/71 of 15 December 1994 and 50/66 of 12 December 1995 on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recalling also the recommendations for the establishment of such a zone in the Middle East consistent with paragraphs 60 to 63, and in particular paragraph 63 (d), of the Final Document of the Tenth Special Session of the General Assembly,[1]

Emphasizing the basic provisions of the above-mentioned resolutions, which call upon all parties directly concerned to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East and, pending and during the establishment of such a zone, to declare solemnly that they will refrain, on a reciprocal basis, from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third

[1] Resolution S-10/2.

party, to agree to place their nuclear facilities under International Atomic Energy Agency safeguards and to declare their support for the establishment of the zone and to deposit such declarations with the Security Council for consideration, as appropriate,

Reaffirming the inalienable right of all States to acquire and develop nuclear energy for peaceful purposes,

Emphasizing the need for appropriate measures on the question of the prohibition of military attacks on nuclear facilities,

Bearing in mind the consensus reached by the General Assembly since its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the Middle East would greatly enhance international peace and security,

Desirous of building on that consensus so that substantial progress can be made towards establishing a nuclear-weapon-free zone in the Middle East,

Welcoming all initiatives leading to general and complete disarmament, including in the region of the Middle East, and in particular on the establishment therein of a zone free of weapons of mass destruction, including nuclear weapons,

Noting the peace negotiations in the Middle East, which should be of a comprehensive nature and represent an appropriate framework for the peaceful settlement of contentious issues in the region,

Recognizing the importance of credible regional security, including the establishment of a mutually verifiable nuclear-weapon-free zone,

Emphasizing the essential role of the United Nations in the establishment of a mutually verifiable nuclear-weapon-free zone,

Having examined the report of the Secretary-General on the implementation of resolution 50/66,[2]

1. Urges all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly, and, as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons;[3]

2. Calls upon all countries of the region that have not done so, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards;

3. Takes note of resolution GC(40)RES/22, adopted on 20 September 1996 by the General Conference of the International Atomic Energy Agency at its fortieth regular session, concerning the application of Agency safeguards in the Middle East;

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[2] A/51/286 and Add.1.

[3] United Nations, Treaty Series, vol. 729, No. 10485.

4. Notes the importance of the ongoing bilateral Middle East peace negotiations and the activities of the multilateral Working Group on Arms Control and Regional Security in promoting mutual confidence and security in the Middle East, including the establishment of a nuclear-weapon-free zone;

5. Invites all countries of the region, pending the establishment of a nuclear-weapon-free zone in the region of the Middle East, to declare their support for establishing such a zone, consistent with paragraph 63 (d) of the Final Document of the Tenth Special Session of the General Assembly,[1] and to deposit those declarations with the Security Council;

6. Also invites those countries, pending the establishment of the zone, not to develop, produce, test or otherwise acquire nuclear weapons or permit the stationing on their territories, or territories under their control, of nuclear weapons or nuclear explosive devices;

7. Invites the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action that runs counter to both the letter and the spirit of the present resolution;

8. Takes note of the report of the Secretary-General;[2]

9. Invites all parties to consider the appropriate means that may contribute towards the goal of general and complete disarmament and the establishment of a zone free of weapons of mass destruction in the region of the Middle East;

10. Requests the Secretary-General to continue to pursue consultations with the States of the region and other concerned States, in accordance with paragraph 7 of resolution 46/30 and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to his report[4] or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the Middle East;

11. Also requests the Secretary-General to submit to the General Assembly at its fifty-second session a report on the implementation of the present resolution;

12. Decides to include in the provisional agenda of its fifty-second session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

79th plenary meeting
10 December 1996

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[4] A/45/435.

UNITED NATIONS

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General Assembly

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GENERAL

A/RES/51/42
7 January 1997

Fifty-first session
Agenda item 68

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/51/566/Add.8)]

51/42. Establishment of a nuclear-weapon-free zone in South Asia

The General Assembly,

Recalling its resolutions 3265 B (XXIX) of 9 December 1974, 3476 B (XXX) of 11 December 1975, 31/73 of 10 December 1976, 32/83 of 12 December 1977, 33/65 of 14 December 1978, 34/78 of 11 December 1979, 35/148 of 12 December 1980, 36/88 of 9 December 1981, 37/76 of 9 December 1982, 38/65 of 15 December 1983, 39/55 of 12 December 1984, 40/83 of 12 December 1985, 41/49 of 3 December 1986, 42/29 of 30 November 1987, 43/66 of 7 December 1988, 44/109 of 15 December 1989, 45/53 of 4 December 1990, 46/31 of 6 December 1991, 47/49 of 9 December 1992, 48/72 of 16 December 1993, 49/72 of 15 December 1994 and 50/67 of 12 December 1995 concerning the establishment of a nuclear-weapon-free zone in South Asia,

Reiterating its conviction that the establishment of nuclear-weapon-free zones in various regions of the world is one of the measures that can contribute effectively to the objectives of non-proliferation of nuclear weapons and general and complete disarmament,

Believing that the establishment of a nuclear-weapon-free zone in South Asia, as in other regions, will assist in the strengthening of the security of the States of the region against the use or threat of use of nuclear weapons,

Taking note with appreciation of the declarations issued at the highest level by the Governments of South Asian States that are developing their peaceful nuclear programmes, reaffirming their undertaking not to acquire or manufacture nuclear weapons and to devote their nuclear programmes exclusively to the economic and social advancement of their peoples,

Welcoming the proposal for the conclusion of a bilateral or regional nuclear-test-ban agreement in South Asia,

Noting the proposal to convene, under the auspices of the United Nations, a conference on nuclear non-proliferation in South Asia as soon as possible, with the participation of the regional and other concerned States,

Noting the proposal to hold consultations among five nations with a view to ensuring nuclear non-proliferation in the region,

Considering that the eventual participation of other States, as appropriate, in this process could be useful,

Bearing in mind the provisions of paragraphs 60 to 63 of the Final Document of the Tenth Special Session of the General Assembly[1] regarding the establishment of nuclear-weapon-free zones, including in the region of South Asia,

Taking note of the report of the Secretary-General,[2]

1. Reaffirms its endorsement, in principle, of the concept of a nuclear-weapon-free zone in South Asia;

2. Urges once again the States of South Asia to continue to make all possible efforts to establish a nuclear-weapon-free zone in South Asia and to refrain, in the meantime, from any action contrary to that objective;

3. Welcomes the support of all the five nuclear-weapon States for this proposal, and calls upon them to extend the necessary cooperation in the efforts to establish a nuclear-weapon-free zone in South Asia;

4. Requests the Secretary-General to communicate with the States of the region and other concerned States in order to ascertain their views on the issue and to promote consultations among them with a view to exploring the best possibilities of furthering the efforts for the establishment of a nuclear-weapon-free zone in South Asia;

5. Also requests the Secretary-General to report on the subject to the General Assembly at its fifty-second session;

6. Decides to include in the provisional agenda of its fifty-second session the item entitled "Establishment of a nuclear-weapon-free zone in South Asia".

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10 December 1996

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[1] Resolution S-10/2.

[2] A/51/176.

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General Assembly

Distr.
GENERAL

A/RES/51/43
7 January 1997

Fifty-first session
Agenda item 69

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/51/566/Add.9)]

51/43. Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

The General Assembly,

Bearing in mind the need to allay the legitimate concern of the States of the world with regard to ensuring lasting security for their peoples,

Convinced that nuclear weapons pose the greatest threat to mankind and to the survival of civilization,

Welcoming the progress achieved in recent years in both nuclear and conventional disarmament,

Noting that, despite recent progress in the field of nuclear disarmament, further efforts are necessary towards the achievement of general and complete disarmament under effective international control,

Convinced that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

Determined strictly to abide by the relevant provisions of the Charter of the United Nations on the non-use of force or threat of force,

Recognizing that the independence, territorial integrity and sovereignty of non-nuclear-weapon States need to be safeguarded against the use or threat of use of force, including the use or threat of use of nuclear weapons,

Considering that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to develop effective

measures and arrangements to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,

Recognizing that effective measures and arrangements to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons can contribute positively to the prevention of the spread of nuclear weapons,

Bearing in mind paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly,[1] the first special session devoted to disarmament, in which it urged the nuclear-weapon States to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and desirous of promoting the implementation of the relevant provisions of the Final Document,

Recalling the relevant parts of the special report of the Committee on Disarmament[2] submitted to the General Assembly at its twelfth special session,[3] the second special session devoted to disarmament, and of the special report of the Conference on Disarmament submitted to the Assembly at its fifteenth special session,[4] the third special session devoted to disarmament, as well as the report of the Conference on its 1992 session,[5]

Recalling also paragraph 12 of the Declaration of the 1980s as the Second Disarmament Decade, contained in the annex to its resolution 35/46 of 3 December 1980, which states, inter alia, that all efforts should be exerted by the Committee on Disarmament urgently to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Noting the in-depth negotiations undertaken in the Conference on Disarmament and its Ad Hoc Committee on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons,[6] with a view to reaching agreement on this item,

Taking note of the proposals submitted under that item in the Conference on Disarmament, including the drafts of an international convention,

Taking note also of the relevant decision of the Eleventh Conference of Heads of State or Government of Non-Aligned Countries, held at Cartagena de

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[1] Resolution S-10/2.

[2] The Committee on Disarmament was redesignated the Conference on Disarmament as from 7 February 1984.

[3] Official Records of the General Assembly, Twelfth Special Session, Supplement No. 2 (A/S-12/2), sect. III.C.

[4] Ibid., Fifteenth Special Session, Supplement No. 2 (A/S-15/2), sect. III.F.

[5] Ibid., Forty-seventh Session, Supplement No. 27 (A/47/27), sect. III.F.

[6] Ibid., Forty-eighth Session, Supplement No. 27 (A/48/27), para. 39.

Indias, Colombia, from 18 to 20 October 1995,[7] and also of the decision adopted by the Tenth Conference of Heads of State or Government of Non-Aligned Countries, held at Jakarta from 1 to 6 September 1992,[8] as well as the relevant recommendations of the Organization of the Islamic Conference reiterated in the Final Communiqué of the Twentieth Islamic Conference of Foreign Ministers, held at Istanbul from 4 to 8 August 1991,[9] calling upon the Conference on Disarmament to reach an urgent agreement on an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Taking note further of the unilateral declarations made by all nuclear-weapon States on their policies of non-use or non-threat of use of nuclear weapons against non-nuclear-weapon States,

Noting the support expressed in the Conference on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, as well as the difficulties pointed out in evolving a common approach acceptable to all,

Noting also the greater willingness to overcome the difficulties encountered in previous years,

Taking note of Security Council resolution 984 (1995) of 11 April 1995 and the views expressed on it,

Recalling its relevant resolutions adopted in previous years, in particular resolutions 45/54 of 4 December 1990, 46/32 of 6 December 1991, 47/50 of 9 December 1992, 48/73 of 16 December 1993, 49/73 of 15 December 1994 and 50/68 of 12 December 1995,

1. Reaffirms the urgent need to reach an early agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

2. Notes with satisfaction that in the Conference on Disarmament there is no objection, in principle, to the idea of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, although the difficulties as regards evolving a common approach acceptable to all have also been pointed out;

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[7] See A/50/752-S/1995/1035, annex III; see Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995, document S/1995/1035.

[8] See A/47/675-S/24816, annex, chap. II, para. 47; see Official Records of the Security Council, Forty-seventh Year, Supplement for October, November and December 1992, document S/24816.

[9] See A/46/486-S/23055, annex I; see Official Records of the Security Council, Forty-sixth Year, Supplement for July, August and September 1991, document S/23055.

3. Appeals to all States, especially the nuclear-weapon States, to work actively towards an early agreement on a common approach and, in particular, on a common formula that could be included in an international instrument of a legally binding character;

4. Recommends that further intensive efforts should be devoted to the search for such a common approach or common formula and that the various alternative approaches, including, in particular, those considered in the Conference on Disarmament, should be further explored in order to overcome the difficulties;

5. Recommends also that the Conference on Disarmament should actively continue intensive negotiations with a view to reaching early agreement and concluding effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective;

6. Decides to include in the provisional agenda of its fifty-second session the item entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

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10 December 1996

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General Assembly

Distr.
GENERAL

A/RES/51/44
7 January 1997

Fifty-first session
Agenda item 70

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/51/566/Add.10)]

51/44. Prevention of an arms race in outer space

The General Assembly,

Recognizing the common interest of all mankind in the exploration and use of outer space for peaceful purposes,

Reaffirming the will of all States that the exploration and use of outer space, including the Moon and other celestial bodies, shall be for peaceful purposes and shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development,

Reaffirming also provisions of articles III and IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,[1]

Recalling the obligation of all States to observe the provisions of the Charter of the United Nations regarding the use or threat of use of force in their international relations, including in their space activities,

Reaffirming paragraph 80 of the Final Document of the Tenth Special Session of the General Assembly,[2] in which it is stated that in order to prevent an arms race in outer space further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty,

Recalling its previous resolutions on this issue and taking note of the proposals submitted to the General Assembly at its tenth special session and

[1] Resolution 2222 (XXI), annex.

[2] Resolution S-10/2.

at its regular sessions, and of the recommendations made to the competent organs of the United Nations and to the Conference on Disarmament,

Recognizing that prevention of an arms race in outer space would avert a grave danger for international peace and security,

Emphasizing the paramount importance of strict compliance with existing arms limitation and disarmament agreements relevant to outer space, including bilateral agreements, and with the existing legal regime concerning the use of outer space,

Considering that wide participation in the legal regime applicable to outer space could contribute to enhancing its effectiveness,

Noting that the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, taking into account its previous efforts since its establishment in 1985 and seeking to enhance its functioning in qualitative terms, continued the examination and identification of various issues, existing agreements and existing proposals, as well as future initiatives relevant to the prevention of an arms race in outer space,[3] and that this contributed to a better understanding of a number of problems and to a clearer perception of the various positions,

Regretting the inability of the Conference on Disarmament to re-establish the Ad Hoc Committee in 1996,

Emphasizing the mutually complementary nature of bilateral and multilateral efforts in the field of preventing an arms race in outer space, and hoping that concrete results will emerge from those efforts as soon as possible,

Convinced that further measures should be examined in the search for effective and verifiable bilateral and multilateral agreements in order to prevent an arms race in outer space, including the weaponization of outer space,

Stressing that the growing use of outer space increases the need for greater transparency and better information on the part of the international community,

Recalling in this context its previous resolutions, in particular resolutions 45/55 B of 4 December 1990, 47/51 of 9 December 1992 and 48/74 A of 16 December 1993, in which, inter alia, it reaffirmed the importance of confidence-building measures as means conducive to ensuring the attainment of the objective of the prevention of an arms race in outer space,

Conscious of the benefits of confidence- and security-building measures in the military field,

Recognizing that the conclusion of an international agreement or agreements to prevent an arms race in outer space remains the fundamental task

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[3] Official Records of the General Assembly, Forty-ninth Session, Supplement No. 27 (A/49/27), sect. III.D (para. 5 of the quoted text).

of the Ad Hoc Committee and that the concrete proposals on confidence-building measures could form an integral part of such agreements,

1. Reaffirms the importance and urgency of preventing an arms race in outer space, and the readiness of all States to contribute to that common objective, in conformity with the provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies;[1]

2. Reaffirms its recognition, as stated in the report of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, that the legal regime applicable to outer space by itself does not guarantee the prevention of an arms race in outer space, that this legal regime plays a significant role in the prevention of an arms race in that environment, that there is a need to consolidate and reinforce that regime and enhance its effectiveness, and that it is important strictly to comply with existing agreements, both bilateral and multilateral;

3. Emphasizes the necessity of further measures with appropriate and effective provisions for verification to prevent an arms race in outer space;

4. Calls upon all States, in particular those with major space capabilities, to contribute actively to the objective of the peaceful use of outer space and of the prevention of an arms race in outer space and to refrain from actions contrary to that objective and to the relevant existing treaties in the interest of maintaining international peace and security and promoting international cooperation;

5. Reiterates that the Conference on Disarmament, as the single multilateral disarmament negotiating forum, has the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects;

6. Requests the Conference on Disarmament to re-establish the Ad Hoc Committee with a negotiating mandate at the beginning of its 1997 session, taking into account the work undertaken since 1985, with a view to conducting negotiations for the conclusion of an agreement or agreements, as appropriate, to prevent an arms race in outer space in all its aspects;

7. Recognizes, in this respect, the growing convergence of views on the elaboration of measures designed to strengthen transparency, confidence and security in the peaceful uses of outer space;

8. Urges States conducting activities in outer space, as well as States interested in conducting such activities, to keep the Conference on Disarmament informed of the progress of bilateral or multilateral negotiations relating to the prevention of an arms race in outer space, if any, so as to facilitate its work;

9. Decides to include in the provisional agenda of its fifty-second session the item entitled "Prevention of an arms race in outer space".

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10 December 1996